

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #14) to the Recommendation of the Magistrate Judge filed on June 26, 2007 is overruled;
 2. The Recommendation of the Magistrate Judge (Doc. #13) entered on June 11, 2007 is adopted;
 3. The claims arising from plaintiff's 1999 arrest are DISMISSED with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) as the plaintiff failed to file the complaint within the time prescribed by the applicable period of limitations.
 4. To the extent that plaintiff challenges the validity of the conviction and sentence imposed upon him for robbery by the Circuit Court of Montgomery County, Alabama, these claims are DISMISSED in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(ii).
 5. This case is DISMISSED prior to service of process pursuant to the provisions of

28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

DONE this the 12th day of July, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE